

AMENDED IN SENATE AUGUST 26, 2009

AMENDED IN SENATE AUGUST 19, 2009

AMENDED IN SENATE JUNE 17, 2009

AMENDED IN ASSEMBLY APRIL 28, 2009

AMENDED IN ASSEMBLY APRIL 2, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1514

Introduced by Assembly Member Hayashi

February 27, 2009

An act to amend Section 84218 of the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 1514, as amended, Hayashi. Political Reform Act of 1974: reporting.

The Political Reform Act of 1974 provides for the comprehensive regulation of campaign financing, including requiring the filing of reports of contributions and expenditures. Among its provisions, the act requires a slate mailer organization, as defined, to file semiannual campaign statements for each 6-month period in which it has received or expended \$500 or more for the production of a slate mailer.

This bill would require a slate mailer organization to file semiannual campaign statements for every 6-month period, irrespective of whether the organization received payments or made expenditures for that period.

Existing law makes a willful violation of the Political Reform Act of 1974 a misdemeanor and subjects offenders to criminal penalties.

This bill would impose a state-mandated local program by creating additional crimes.

This bill would incorporate additional changes in Section 84218 of the Government Code proposed by AB 1181, that would become operative only if AB 1181 and this bill are both chaptered and become effective on or before January 1, 2010, and this bill is chaptered last.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 84218 of the Government Code is
2 amended to read:
3 84218. (a) A slate mailer organization shall file semiannual
4 campaign statements no later than July 31 for the period ending
5 June 30, and no later than January 31, for the period ending
6 December 31.
7 (b) In addition to the semiannual statements required by
8 subdivision (a), slate mailer organizations shall file preelection
9 statements as follows:
10 (1) Any slate mailer organization which produces a slate mailer
11 supporting or opposing candidates or measures being voted on in
12 an election held upon the first Tuesday after the first Monday in
13 June or November of an even-numbered year shall file the
14 statements specified in Section 84200.7 if, during the period
15 covered by the preelection statement, the slate mailer organization
16 receives payments totaling five hundred dollars (\$500) or more
17 from any person for the support of or opposition to candidates or
18 ballot measures in one or more slate mailers, or expends five

1 hundred dollars (\$500) or more to produce one or more slate
2 mailers.

3 (2) Any slate mailer organization which produces a slate mailer
4 supporting or opposing candidates or measures being voted on in
5 an election held on a date other than the first Tuesday after the
6 first Monday in June or November of an even-numbered year shall
7 file the statements specified in Section 84200.8 if, during the period
8 covered by the preelection statement, the slate mailer organization
9 receives payments totaling five hundred dollars (\$500) or more
10 from any person for the support of or opposition to candidates or
11 ballot measures in one or more slate mailers, or expends five
12 hundred dollars (\$500) or more to produce one or more slate
13 mailers.

14 (c) A slate mailer organization shall file two copies of its
15 campaign reports with the clerk of the county in which it is
16 domiciled. A slate mailer organization is domiciled at the address
17 listed on its statement of organization unless it is domiciled outside
18 California, in which case its domicile shall be deemed to be Los
19 Angeles County for purposes of this section.

20 In addition, slate mailer organizations shall file campaign reports
21 as follows:

22 (1) A slate mailer organization which produces one or more
23 slate mailers supporting or opposing candidates or measures voted
24 on in a state election, or in more than one county, shall file
25 campaign reports in the same manner as state general purpose
26 committees pursuant to subdivision (a) of Section 84215.

27 (2) A slate mailer organization which produces one or more
28 slate mailers supporting or opposing candidates or measures voted
29 on in only one county, or in more than one jurisdiction within one
30 county, shall file campaign reports in the same manner as county
31 general purpose committees pursuant to subdivision (d) of Section
32 84215.

33 (3) A slate mailer organization which produces one or more
34 slate mailers supporting or opposing candidates or measures voted
35 on in only one city shall file campaign reports in the same manner
36 as city general purpose committees pursuant to subdivision (e) of
37 Section 84215.

38 (4) Notwithstanding the above, no slate mailer organization
39 shall be required to file more than the original and one copy, or

1 two copies, of a campaign report with any one county or city clerk
2 or with the Secretary of State.

3 *SEC. 1.5. Section 84218 of the Government Code is amended*
4 *to read:*

5 84218. (a) A slate mailer organization shall file semiannual
6 campaign statements ~~for each period in which it has received~~
7 ~~payments totaling five hundred dollars (\$500) or more from any~~
8 ~~person for the support of or opposition to candidates or ballot~~
9 ~~measures in a slate mailer, or in which it has expended five hundred~~
10 ~~dollars (\$500) or more to produce one or more slate mailers. The~~
11 ~~semiannual statements shall be filed no later than July 31 for the~~
12 ~~period ending June 30, and no later than January 31, 31 for the~~
13 ~~period ending December 31.~~

14 (b) In addition to the semiannual statements required by
15 subdivision (a), slate mailer organizations shall file preelection
16 statements as follows:

17 (1) Any slate mailer organization which produces a slate mailer
18 supporting or opposing candidates or measures being voted on in
19 an election held upon the first Tuesday after the first Monday in
20 June or November of an even-numbered year shall file the
21 statements specified in Section 84200.7 if, during the period
22 covered by the preelection statement, the slate mailer organization
23 receives payments totaling five hundred dollars (\$500) or more
24 from any person for the support of or opposition to candidates or
25 ballot measures in one or more slate mailers, or expends five
26 hundred dollars (\$500) or more to produce one or more slate
27 mailers.

28 (2) Any slate mailer organization which produces a slate mailer
29 supporting or opposing candidates or measures being voted on in
30 an election held on a date other than the first Tuesday after the
31 first Monday in June or November of an even-numbered year shall
32 file the statements specified in Section 84200.8 if, during the period
33 covered by the preelection statement, the slate mailer organization
34 receives payments totaling five hundred dollars (\$500) or more
35 from any person for the support of or opposition to candidates or
36 ballot measures in one or more slate mailers, or expends five
37 hundred dollars (\$500) or more to produce one or more slate
38 mailers.

39 (c) A slate mailer organization shall file two copies of its
40 campaign reports with the clerk of the county in which it is

1 domiciled. A slate mailer organization is domiciled at the address
2 listed on its statement of organization unless it is domiciled outside
3 California, in which case its domicile shall be deemed to be Los
4 Angeles County for purposes of this section.

5 In addition, slate mailer organizations shall file campaign reports
6 as follows:

7 (1) A slate mailer organization which produces one or more
8 slate mailers supporting or opposing candidates or measures voted
9 on in a state election, or in more than one county, shall file
10 campaign reports in the same manner as state general purpose
11 committees pursuant to subdivision (a) of Section 84215.

12 (2) A slate mailer organization which produces one or more
13 slate mailers supporting or opposing candidates or measures voted
14 on in only one county, or in more than one jurisdiction within one
15 county, shall file campaign reports in the same manner as county
16 general purpose committees pursuant to subdivision~~(d)~~ (c) of
17 Section 84215.

18 (3) A slate mailer organization which produces one or more
19 slate mailers supporting or opposing candidates or measures voted
20 on in only one city shall file campaign reports in the same manner
21 as city general purpose committees pursuant to subdivision~~(e)~~ (d)
22 of Section 84215.

23 (4) Notwithstanding the above, no slate mailer organization
24 shall be required to file more than the original and one copy, or
25 two copies, of a campaign report with any one county or city clerk
26 or with the Secretary of State.

27 *SEC. 2. Section 1.5 of this bill incorporates amendments to*
28 *Section 84218 of the Government Code proposed by both this bill*
29 *and AB 1181. It shall only become operative if (1) both bills are*
30 *enacted and become effective on or before January 1, 2010, (2)*
31 *each bill amends Section 84218 of the Government Code, and (3)*
32 *this bill is enacted after AB 1181, in which case Section 1 of this*
33 *bill shall not become operative.*

34 ~~SEC. 2.~~

35 *SEC. 3.* No reimbursement is required by this act pursuant to
36 Section 6 of Article XIII B of the California Constitution because
37 the only costs that may be incurred by a local agency or school
38 district will be incurred because this act creates a new crime or
39 infraction, eliminates a crime or infraction, or changes the penalty
40 for a crime or infraction, within the meaning of Section 17556 of

1 the Government Code, or changes the definition of a crime within
2 the meaning of Section 6 of Article XIII B of the California
3 Constitution.

4 ~~SEC. 3.~~

5 *SEC. 4.* The Legislature finds and declares that this bill furthers
6 the purposes of the Political Reform Act of 1974 within the
7 meaning of subdivision (a) of Section 81012 of the Government
8 Code.

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